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Convention on the Rights of the Child

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Committee on the Rights of the Child
Sixty-seventh session
1–19 September 2014
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the report submitted by the Bolivarian Republic of Venezuela under article 12, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

The State party is requested to submit in writing additional, updated information (15 pages maximum), if possible before 15 June 2014.

The Committee may take up all aspects of children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please provide information on the functions of the National System for the Comprehensive Protection of Children and Adolescents with respect to the implementation of the Optional Protocol and on how it performs its coordination function among all the bodies responsible for implementing the Optional Protocol, in particular between the Autonomous Institute and National Council on the Rights of Children and Adolescents and the Ministry of People's Power for Internal Affairs, Justice and Peace.

2. Please provide the Committee with information on the mechanisms used to identify children and adolescents who are particularly at risk from the offences described in the Optional Protocol, such as street children, indigenous children and children living in remote rural areas.

3. Please provide information on any programmes which the State party is carrying out to raise awareness of and publicize the Optional Protocol, indicating, in particular, whether those programmes are conducted in a systematic way, the target groups and whether any evaluation has been undertaken.

4. Please provide information on the content and results of the implementation of the National Plan of Action against Sexual Abuse and Commercial Sexual Exploitation. Please also inform the Committee whether there is a general strategy to eliminate the sale of children, child prostitution and child pornography, and whether there are any regional or local plans that have been adopted in order to strengthen efforts to implement the Optional Protocol.

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5. Please provide information on the measures taken by the State party to ensure that those responsible for the administration of justice (lawyers, attorneys, prosecutors and judges), the Councils for the Protection of Children and Adolescents and all the other public authorities working in the various areas covered by the Optional Protocol, including those involved in efforts to combat the offences covered by the Protocol and to ensure the rehabilitation and reintegration of child victims, are familiar with and understand the contents of the Optional Protocol.

6. Please explain to the Committee whether the sale of children is classified as a separate offence under criminal law and whether, as provided for in article 3, paragraph 1 (a), of the Optional Protocol, the following are classified as cases involving the sale of children: sexual exploitation of the child; transfer of organs of the child for profit; engagement of the child in forced labour; and illegal adoption.

7. Please provide recent statistics (disaggregated by sex, age, ethnic and rural or urban origin) on:

(a) The number of cases of the sale of children, child prostitution or child pornography and information on the action taken in those cases, particularly with regard to the trial and punishment of those involved;

(b) The number of cases of trafficking in children for purposes of sale, prostitution or pornography, as defined in article 3, paragraph 1 of the Optional Protocol;

(c) The number of children who have received assistance for their physical and mental rehabilitation, social reintegration or payment of compensation for the damages suffered, in accordance with the provisions of article 9, paragraphs 3 and 4, of the Optional Protocol.

8. Please provide additional information on the measures taken by the State party to ensure the application of the Act on Protection for Victims, Witnesses and Other Participants in Legal Proceedings, in relation to victims of the offences covered in the Optional Protocol. Please also provide information on whether programmes have been developed and adopted to support and protect children, victims and witnesses of the offences covered by the Optional Protocol during their contact with the criminal justice system.

9. Please provide information on the measures implemented by the State party to ensure that the victims of the offences covered by the Optional Protocol are not stigmatized. Please include information on the measures taken to prevent them from being socially marginalized and to facilitate their reintegration and their physical and mental rehabilitation.

10. Please provide information on whether the State's legislation establishes the criminal responsibility of legal persons for acts or omissions in relation to the sale of children, child prostitution and child pornography. Please clarify whether the State's legislation provides for the seizure and confiscation of property used to commit or facilitate all the offences referred to in the Optional Protocol, as well as any acts deriving from such offences.

11. Please provide information on whether the Optional Protocol may be used as a basis in law for the extradition of a person suspected of the offences covered by the Protocol in the absence of a bilateral treaty, and please explain to the Committee whether the State party has extraterritorial jurisdiction over the offences covered by the Optional Protocol.